(SRI T. CHANNIAH.)

Mysore Town Municipalities (Amendment) Bill, 1953, and the Mysore Local Authorities' Laws (Amendment) Bill, 1953, which were published in the *Mysore Gazette* Extraordinary, dated 11th July 1953, under Rule 48 of the Rules of Procedure and Conduct of Business in the Legislative Assembly.

Mr. SPEAKER.—The Bills shown in items Nos. 3 and 4 in List of Business for today may be taken up tomorrow. The members are requested to send their amendments, if any, by tomorrow, before eleven of the Clock. That will suit the House.

Sri K. PATTABHIRAMAN (Kolar).—So far as the House Rent and Accommodation Control (Amendment) Bill as passed by the Legislative Council is concerned, copies of the same have not been supplied to us.

Mr. SPEAKER.—Copies of the Bill have been supplied last time alone. In fact, Sri Rama Rao was about to speak on the Bill.

Sri K. PATTABHIRAMAN.—I stand corrected, Sir. Some of us have no copies of the Bill. Some of us may be supplied with copies.

Mr. SPEAKER.—Yes. It will be done.

MYSORE HOUSE RENT AND ACCOMMODATION CONTROL (AMENDMENT) BILL, 1953.

Motion to consider.

Sri A. G. RAMACHANDRA RAO (Minister for Law and Education).—Sir, I beg to move:

> "That the Mysore House Rent and Accommodation Control (Amendment) Bill, 1953, as passed by the Legislative Council, be taken into consideration."

Sir, this amendment Bill was placed before the Legislative Council and passed. I submit that in the working of the House Rent Control Act, several difficulties were experienced during the past two or three years. In order to remove those difficulties this Bill has been brought up before the Legislature. In fact, in the objects and reasons that have been given and also in the Bill that has been put forward now Section by Section, the substance of the amendments as well as the benefits accruing from them have been clearly noted. I do not think that details regarding these amendments should be given at this stage. I am also glad to say that only one amendment has come forward. When that amendment comes up I will speak. With these few words, I submit that this Bill may be taken into consideration.

Mr. SPEAKER.—Motion moved:

> "That the Mysore House Rent and Accommodation Control (Amendment) Bill, 1953, as passed by the Legislative Council, be taken into consideration."

Sri M. V. RAMA RAO (Tumkur).—May I know whether any amendments were moved or passed in the Legislative Council when the original Bill was introduced? A copy of the Bill as introduced by the Government has been supplied to the members of this House. What I want to know is whether in the Upper House, any amendments have been moved to this Bill and if carried out, whether copies of such modified Bill will be supplied to us.

Sri A. G. RAMACHANDRA RAO.—The Bill before the House is just what is passed by the Legislative Council. A few amendments were moved in the other House, but they were not passed. The amended Bill as put forward now is in substance the same as put forward before the Legislative Council.

Sri M. V. RAMA RAO.—We have been supplied with copies of the Bill as the Bill was introduced. If no amendments have been passed in the Upper House, then, we can proceed with the Bill.

Mr. SPEAKER.—That is the question now. You will proceed with the discussion. Copies of the Bill have already been supplied to Members on the previous occasion.

Sri A. G. RAMACHANDRA RAO.—I have a copy of the Bill as passed by the Legislative Council. I request the Secretary to distribute the spare copies of the Bill.

(The spare copies of the Bill were distributed.)

Sri R. ANANTARAMAN (Chamarajpet).—Sir, I welcome this Bill. In the Statement of Objects and Reasons, it has been stated that the working of the Act has revealed certain difficulties which require to be remedied, partly by amendments to the existing sections and partly by adding a few more sections. Since there have been many difficulties in the existing House Rent and Accommodation Control Act, many house-owners and also tenants approached the Government in this connection and Government were pleased to bring this amendment Bill before this august House. While welcoming this amendment Bill, I wish to say a few words regarding Section 3. According to Section 3 of the Act, as existing, if new houses were built, there was no provision dealng with that. In fact, the house-owners had liberty to let houses to any person they liked. Of late, many houses have been built —big and small—and these houses have been let out to any person that the owner liked. The Government were wise enough to bring this amendment Bill so as to include these new houses also under the purview of the House Rent and Accommodation Control Act. Another thing is that in Bangalore City and Civil Station, landlords have been teasing tenants by way of extracting heavy hire for the leasing of the furniture in those houses. Under Section 3(b), it is wise that Government have brought in amendment to control the hiring of this furniture. Under clause 7 under the existing Act, though houses were leased out as per Rent Control Order Rules, house-owners were extracting heavy rents by way of premiums. In one or two cases I came to know that the landlords wanted eight or ten months' rent by way of premium. In fact, in the old House Rent Control Order, there was no amendment to the effect that a landlord could ask for only two months' rent as advance. But now a provision has been made in this Bill.

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It would have been better if Government were kind enough to see that one month's rent was taken by way of advance. But, nevertheless, it is not a bad thing that this amendment is brought that rent not exceeding two months by way of advance should be taken.

In many cases, where the tenants have taken lease of the houses, it was not possible for them to pay rent to landlords because the landlords wanted higher rents. The landlords would demand higher rents and when the tenant could not pay higher rent, the landlord refused to accept the rent and keep on for a number of months without taking rents. On one fine day, they would file a suit before the House Rent Controller and the whole rent would have to be paid on the spot itself. There is no provision in the old Act that some time should be given to the tenants to pay the rent in instalments. Now the Government proposed to amend this section so that if the landlord refuses to take rent, the tenant could deposit the same in the court. In fact, this amendment would help the tenant to a very great extent. In fact tenants who are living in small houses—there are thousands of them and particularly mill-labourers—refuse to pay higher rent and so they come within the clutches of the landlords. With this amendment, they could approach the court and deposit the arrears of rent. In fact, I had brought a Bill also and I subsequently withdrew it because the amendments provided in this Bill are similar to the amendments sent

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by me. Under this Bill, it would help a tenant to a very great extent. It would have been better, Sir, if the Government were kind enough to say that in case of huge arrears of rent, some time should be given to the tenant and in some hard cases, the Munsiff should be empowered to order the payment of rent by instalments so that they may pay the arrears of rent by way of instalments. But unfortunately, it is not found in this Act itself. I hope at least the Government, after some time, will amend the relevant section so that it may be easy for the tenants who are in arrears of rent to pay in instalments.

The most important clause is clause 9. Prior to 1951, the definition of the word landlord included his son, daughter and others also. After Act was introduced in 1951, the definition of the word "landlord" did not include son and daugher, though they are members of a joint family. It was a very great hardship to the family and particularly to villagers who own houses in Bangalore City. Whenever they wanted their houses to be vacated, just because his son or daughter wanted to come and live in the City, it was not possible and a number of cases filed in this connection were dismissed on the ground that it was not for *bona fide* purpose and it was not for his own use and it was for the use of his son and daughter. I commend the definition of the word 'landlord' which includes daughter, son and other members of the family. The definition has become wider. In fact so many tenants were occupying the houses for the last 12 to 13 years and the landlord could not get possession of the house for his son or daughter, just because it was not provided for in the Act. This Bill is very clear and it is very easy for the landlord to get the house vacated.

Under clause 10, in case there will be certain order passed by the House Rent Controller and also revision in the High Court, against that order if the tenant wants a stay order in the appeal or revision itself, he would deposit the undisputed amount of rent in the court so that he would get a stay order. It is very good just because in so many cases, taking advantage of the lacunæ in the Act itself, so many tenants would prefer revision applications in the High Court and take a stay order; even after the case is over, they do not pay full arrears. Now certain provision is also made, it is very good for the landlord. If the tenant wants the house for his own *bona fide* purpose, he must deposit the amount and ask for the stay order from the High Court or District Judge so that he can go on with the case. This helps the landlord to a large extent. Particularly in Bangalore City, there is large influx of people from outside especially in summer, and it is difficult to get houses also. Now it is very easy for any one to get a house; only if he sends an application to the Controller, he will be allotted any house that is available. The other amendments are designed both in the interest of the tenant and the landlord. Another feature is, according to the amendment, this Act will last till January 1957. You are aware food and other controls have already been removed. Some of our friends may ask: "why should this house control also should not be removed? it is almost a control; why should Government be interested in fixing rent of houses, etc." In fact Government are aware that in the City of Bangalore, many houses have to come up and there are a large number of people without houses. If this Act is repealed, particularly, it will be difficult for the labour classes and they will have to live under trees. There are some landlords who want to extract exorbitant rents. It is much better that the Government extend this House Control for some more time till 1957 and after that period, it will be left for them to consider whether there will be sufficient

accommodation for people in Bangalore City and then take a decision. I must thank Government for having brought this amending Bill. In fact, many people and many Associations approached the previous Ministry. They represented that some amendments were necessary particularly in regard to the deposit of rent in the court. You were kind enough to bring this amending Bill so that it will be helpful both to the landlord and also to the tenant just to see that both of them will carry on amicably.

Sri K. PATTABHIRAMAN (Kolar).—Mr. Speaker, I would like to offer one or two observations on this Bill. Not that I am seriously opposing the Bill *in toto*. Nevertheless, there are one or two aspects of the Bill which I would request the Hon'ble Members to bear in mind. I join with my esteemed Hon'ble friend Sri Anantaraman in welcoming this Bill. But I feel so far as the working of 1951 Act is concerned, we litigants, lawyers and the general public have experienced a number of difficulties. But I do not agree with my friends that all these difficulties have been met and removed by this legislation. That is one thing. The second thing is there are one or two particular sections which I am putting as illustrations as to why this Bill requires a lot of pruning and consideration. For instance, let us look at Section 3 of the amending Bill, particularly the explanation :—

> "Where the tenant dies leaving more than one of the relatives specified in this clause, the person deemed to continue as the tenant shall be determined *in the following order, namely* :—...."

The phrase 'in the following order' is very significant.

> "(1) the surviving spouse; (2) the eldest son; (3) the eldest daughter; (4) the eldest undivided brother."

I may just illustrate the difficulty by giving one concrete instance. Take the case of a Joint Hindu Family where the Manager is a tenant running the family business in a house, and the Manager dies. So far as the order is concerned, the eldest undivided brother comes forth in the order and the surviving spouse, the eldest son and the eldest daughter come in between. This is at variance with the rights and privileges of the family and in a way this is an amendment of the Hindu Law. I do not think that could be done. Let us also understand the difficulty of the landlord in a case of this kind. If in a Joint Hindu Family, the Manager dies, the eldest undivided brother according to Hindu Law becomes the Manager. According to this Bill, that Manager cannot have any right in a family matter governed by this Bill. Therefore in addition to setting the eldest undivided brother against the spouse, the difficulty for the landlord to recover the rent also will arise. I, therefore, feel that the phrase 'in the following order' will lead to a number of complications. I think that has to be considered in all its aspects.

Let us look at another provision, just again, by way of an illustration. That is Section 10 about deposit and payment of rent during the pendency of a proceeding for eviction. If a landlord has to file an application for eviction of a tenant before the Controller,—according to 1951 Act, it will be before the Munsiff of the place—now he has merely to pay an application fee on that. If a tenant comes forward and files an objection, then the option is given for converting it into a suit, permitting the petitioner to pay the requisite court fee and if the court fee is not paid on a particular date, the petition stands dismissed. The entire Section 10 will lead to a lot of complication while it is actually being worked in the courts. I do not see anything fundamental about this. In the course of working out the 1951 Act, there are a number of difficulties which have been experienced. Suppose we file

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an application for eviction. At the same time, under Section 8, we ask the tenant to deposit rent in the court. No separate suit will lie at this stage. After the disposal of the petition, suit will have to be filed for arrears of rent to be recovered. These difficulties are not met in this amending Bill. Therefore, my suggestion to this Hon'ble House through the Speaker would be—I am at this stage only concerned with the consideration of the entire Bill as it is—that a number of provisions in the Bill requires a lot of pruning and we will have to consider them carefully. Therefore, I request the Hon'ble Minister through the Speaker to agree that we may take it up tomorrow so that we may give more thought and consideration to see how far the clauses, wherever necessary, should be amended or modified suitably. My Hon'ble friend was saying that we are thinking of giving relief to a number of tenants through this Bill. Instead of that, we will in fact land them into greater and greater trouble. Therefore, I am suggesting....

A MEMBER.—Why not we refer the Bill to a Select Committee?

Sri K. PATTABHIRAMAN.—That would be the best thing, if it commends itself to the Hon'ble Minister. There is one aspect which certainly weighs with us, that is, that it has been passed by the elders in the Legislative Council. We will certainly respect them but still we feel that we might give a little further consideration in the same direction and give some more thought and if jointly we are able to arrive at an agreed bill in a better form, nothing prevents us from recommitting it to the Legislative Council, so that our elders may also exercise their judgment, again. I therefore suggest, by these two illustrative examples, that the Hon'ble Minister may agree to either take the Bill up tomorrow or some other day or make a reference to the Select Committee.

Sri A. G. RAMACHANDRA RAO.—We may take it up tomorrow.

Sri K. PATTABHIRAMAN.—I have made an alternatvie suggestion for referring it to a Select Committee. If this Bill comes up before a Select Committee, probably we could bestow more attention. If the Hon'ble Minister should still have doubt about it, the least that we could expect of him is that we may take up this Bill tomorrow. But I still maintain that the first suggestion would be the best.

Mr. SPEAKER.—If some more Members wish to speak on this Bill, they may do so. But as regards the suggestion that the Bill may be taken up tomorrow, what has the Hon'ble Minister to say?

Sri K. PATTABHIRAMAN.—If it comes before the Select Committee, possibly we could bestow the best attention and consideration possible, but if the Hon'ble Minister should turn it down, then the least that we can expect of him by way of charity will be at least to agree to the Bill being taken up tomorrow. I still maintain that the Bill requires the best consideration and attention possible at the hands of a Select Committee.

Sri A. G. RAMACHANDRA RAO.—As could be seen from the nature of the amendments, there is urgency for passing this legislation, because the landlord on the one hand and the tenant on the other—both of them are suffering to-day. It is to remove the defects and hardships that this has been brought forward. And as I have already submitted, the Elder House, *i.e.*, the Upper House has already passed it and it is before this House and now to think of sending it back to the Select Committee would mean postponing this measure for a number of days; I believe it is not justified.

Secondly, if we had the specific amendments before us, it would have been much easier, but I do not want to blame anybody. I have no objection for his being taken up tomorrow and even if our friends assure us that

it be referred to a Select Committee it will be disposed of during the course of this session, there is one difficulty still. Any amendment here means the Bill going back to the other House. Therefore, I request the Members to consider that aspect. Meanwhile, I have no objection to this measure being taken up tomorrow.

Mr. SPEAKER.—We may go on till 3 o'clock to-day.

Sri K. PATTABHIRAMAN—I want to make one suggestion. The fact that, in the event of an amendment being accepted, the measure goes back to the Legislative Council, should not deter us. The suggestions are very important for the practical working of it in the courts. I am myself a lawyer; I know the difficulties experienced. It is a self-denying ordinance that prompts me to make this suggestion. In fact this legislation is a gold mine for lawyers and we could do well. Let us consider this Bill and let us get it passed in this very session. Give us two or three days time. We shall sit round the table at a Select Committee and consider all aspects.

Sri A. G. RAMACHANDRA RAO.—We could go on to-day till 3 o'clock.

Mr. SPEAKER.—The Bill was with the members for the last one month and a half. That apart, it appears to be a reasonable demand that this Bill may be taken up tomorrow. But till 3 o'clock we have no work at all and so we may go on with this Bill till three and tomorrow also it may be continued.

Sri A. G. RAMACHANDRA RAO.—We will make whatever remarks we wish to make till 3 o'clock and again this may be taken up tomorrow. I may take the House into confidence. The Members of the Backward Classes Commission have been invited to attend the Assembly and they are coming. So we will go on with this work till 3 o'clock.

Sri K. PATTABHIRAMAN.—Mr. Speaker, to continue the idea, having a Bill of this kind is really very commendable. We have seen that this has become necessary and in the past working of this Act these few years or more we have seen various defects. That the Government should come forward to remedy these defects is certainly very good of them and I wholeheartedly endorse the opinion expressed by Hon'ble Members so far. But in doing so, my only grievance and, shall I say, apprehension is, the language as employed in the various sections of this Bill is so vague and in some respects it has not been pointed in the sense that various implications thereof have not been realised and understood before we gave a foolproof Bill. In fact, legislation must always take one thing into consideration. I am not characterising anybody when I make this particular observation. Legislation must always be as clear and crisp as it should be. Here there is an attempt to wind out a section with the result that the implications will be far-reaching and for the moment we might not realise all the implications. In the working of the Act, so far as courts are concerned, let us not increase litigation. That is my fear. In fact, there are a number of things to be taken note of; take, for instance, what we have said about a tenant; it is a very unfortunate thing. Next, suppose a petition has been filed and no objections have been filed, nor a tenant comes forward and he does not act either by depositing the agreed amount or even when directed, he does not file an objection. In such a case, the petition is allowed and still it is stated that the question of title will not be considered, whereas in making amendment to section 2 of the Act of 1951, there is specific provision relating to the question of title. Taking all these into consideration, when a legislation of this kind is to be enacted, let us pay such attention as is necessary, considering its comprehensive nature.

There is one other aspect which might be considered. Time has come

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when we will have to consider whether it is to be so comprehensive and wide in its application and extension to all industrial and non-industrial, agricultural and non-agricultural areas. Therefore, considering these things, I submit to the Speaker and through the Speaker to the Hon'ble Minister that he may accept my suggestion, namely, that we consider this in a Select Committee. I leave the matter at that. I hope the entire House will be with me while accepting the suggestion.

* Sri A. BHEEMAPPA NAIK (Molakalmuru).—I welcome the amendments to the House Rent Control Act. In fact, there were so many lacunæ in the previous House Rent Control Act and both the tenant and the landlord used to complain that certain amendments were necessary for the smooth working of this Act. Hence the Government have considered in detail the several lacunæ and have tried to bring this Act on par with the Act in other Provinces. In fact, it may be said that this House Rent Control Act will have to be worked for some years to come ; thinking that the need for this Act might any day be obviated, they did not bring the necessary amendments to this Act early enough, but now that it is obvious that the need for the houses cannot be met in the near future, it is necessary that the existing Act will have to be put in order. Therefore, in order to see that the landlord or the tenant is not harassed unnecessarily, it is found necessary to bring in amendments and to set right certain anomalies. So I feel that this measure will have to be welcomed by one and all.

Of course, my friend Sri Pattabhiraman suggested that this measure might be referred to a Select Committee to look into the further defects that may be set right or to see that any addition might be made. Though it is a very good suggestion, I feel that, as the Bill stands, the things are so simple that it does not seem to be necessary to send it to a Select Committee. Because, the need for these amendments is so great that if it goes to the Select Committee it is possible that there may be unnecessary delay and the object with which these amendments have been brought so quickly may be defeated. I therefore appeal to the Hon'ble Members and to Sri Pattabhiraman to accept this as it is, or to bring in any amendments necessary here and now. It would also be very easy for him, and, being an experienced legislator, he would see through things or if there is any necessity for any amendment, he would certainly bring in the amendment here. The suggestion for referring this measure to a Select Committee would mean delay and it may not be in the interests of the tenant as well as the landlord. In these circumstances, I feel that this measure will have to be accepted and it would be in the interests of the quick working of the House Rent Control Act and for the speedy disposal of several cases. In fact, there have been several cases pending before courts which have not been disposed of and if they are disposed of, it may be very difficult to feel that justice has been done. Therefore, if these lacunæ, these defects are cured by these amendments, it would be in the interests of the disposal of these cases and in the interests of the tenants as well as landlords. Therefore, under these circumstances, I very strongly support this measure and request all to support this.

Sri M. PALANIYAPPAN (Ulsoor).—While welcoming this measure, I wish to say a few words. Now as it is, the people in the town are experiencing great difficulties on account of the present position. I think, in the interests of the citizens the Government have now brought in these amendments to set right the defects. I may just mention a word about unnecessary delays in disposing of those cases pending before courts. The landlord seeks the help of the

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Court. Similarly, unnecessary delay is caused in getting remedy from courts. Under the circumstances, it is absolutely necessary that this Bill be referred to a Select Committee, where some attention should be paid to this. I hope the Government will consider this.

Sri A. BHEEMAPPA NAIK.—With the permission of the Chair, I just wish to say a few words to explain one or two points. The difficulty under the House Rent Control Act is felt this way. A hostel building was taken over by the Government for the storing of foodstuffs, for offices and several other purposes. But the hostel authorities felt that there was a need for taking over the building, because their institution had grown by leaps and bounds and that it was necessary to take it back in order to accommodate their students. Unfortunately under this Act, it is not provided for taking back the building when they need it. Therefore, it is in the interests of the public that such a provision be made in order to take back buildings for institutional purposes. This right may not be given to individuals but to institutions, the trustees of which want to do some good service to the State and the public. It is only in such circumstances that an amendment will be helpful. In order to see that such facilities are accorded to institutions, an amendment is brought. No elaborate thought is needed to consider this. This is a need felt by one and all. Therefore, I propose that this amendment be accepted by all the members and they send it to the Select Committee for consideration and approval.

Sri M. PALANIYAPPAN.—Sir, the Houses under the Corporation are not included in this Bill. I do not know whether such houses come under the existing House Rent Control Act. Quarters have been built by Government and leased out to officers. These buildings also do not come under the purview of the present Act. It is necessary that this matter be referred to the Select Committee.

ಶ್ರೀಎ.ವಿ. ನರಸಿಂಹರೆಡ್ಡಿ (ಬೆಂಗಳೂರು ದಕ್ಷಿಣ).—ಸ್ವಾಮಿ, ಈ ತಿದ್ದುಪಡಿಯ ವಿಚಾರದಲ್ಲಿ ಶ್ರೀಮಾನ್ ಪಟ್ಟಾಭಿರಾಮರವರು ಹೇಳಿದಂತೆ (3)ನೆಯ ಕ್ಲಾಜಿನ ಕೊನೆಯ ಭಾಗದಲ್ಲಿ ಕೊಟ್ಟಿರುವ ಅರ್ಥ ವಿವರಣೆಯಲ್ಲಿ ಹೀಗೆ ಹೇಳಿದೆ :—

"Where the tenant dies leaving more than one of the relatives specified in this clause, the person deemed to continue as the tenant shall be determined in the following order, namely :—

(1) the surviving spouse; (2) the eldest son; (3) the eldest daughter; (4) the eldest undivided brother."

ಈ ಒಂದು ಅನುಕ್ರಮದಲ್ಲಿ ಕೊಟ್ಟಿರುವದು ಈಗಿನ ನಮ್ಮ ಸಮಾಜದಲ್ಲಿರುವ ಪರಿಸ್ಥಿತಿಗೆ ಸರಿ ಹೋಗುವುದಿಲ್ಲ. ಈಗಿನ ಹಿಂದೂ ಕಾನೂನಿನ ಪ್ರಕಾರ ಈ ರೀತಿ ಮಾಡಲು ಅವಕಾಶವಿಲ್ಲ ಆದುದರಿಂದ ಈ ಒಂದು ವಿಷಯದಲ್ಲಿ ಮಾತ್ರ ದೀರ್ಘವಾಗಿ ಆಲೋಚನೆ ಮಾಡಿ ತೀರ್ಮಾನ ಮಾಡಬೇಕಾಗಿದೆ. ಈ ಅಧಿವೇಶನ ದೊಳಗೇ ಪರಿಶೀಲನೆ ಮಾಡಿ ಈ ಮಸೂದೆಯನ್ನು ಪಾಸ್ ಮಾಡೋಣ ಆದರೆ ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಗೆ ಹೋಗುವುದು ಒಳ್ಳೆಯದೆಂದು ನಾನು ಭಾವಿಸುತ್ತೇನೆ.

Sri M. LINGANNA (Nanjangud).—Sir, the amendment that has been placed before us seeks to amend the law in the Mysore House Rent and Accommodation Control Order of 1951. There are as many as 18 amendments provided in the particular amending Bill. When I went through some of these amendments, I found that the most notable feature of some of them is to give adequate relief to the tenant Before commencing to speak on some of the provisions of the amendments placed before us, I wish to draw the attention of this Hon'ble House to the social aspect of this piece of legislation. This piece of legislation is indeed going to determine the manner or the nature of relationship that would exist between a person who builds a house on the one hand and a person who occupies the house on the other, because he has to live in it. This relationship would not have been controlled by any piece of legislation, but the Government that came into

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being after 1947 took up the responsibility to legislate for some of the social aspects of the country. I believe that this piece of legislation has come into being solely on that particular account. Of course, while legislating such pieces of legislation, we, on the one hand, lay certain restrictions on a particular class of people who are supposed to be well off in society and, on the other, upon another class of people who are less fortunate in society. So, Sir, the ordered regulation of such relationship between these two classes should be established in such a manner that there should not be any strife, or that their relationship should not come to such a pitch as to disturb the peace prevailing in the society. It was because people could not accommodate themselves on a social level that the State had to interfere by such a piece of legislation.

I believe that the most affected class is the labour class, specially in the cities of Bangalore, Mysore, Davangere and Kolar Gold Fields and other places. The 1951 Mysore House Rent Control and Accommodation Act operates only in certain parts of the State like Bangalore City, Mysore and Kolar Gold Fields and Davangere. But the time has come when the Government will have to think of extending the operation of this Bill to other places also. The need for houses is not merely felt in industrial areas like Bangalore and Davangere, but it is felt in mofussil places also other than the above places. From this point of view, the operation of this particular Bill along with the amendments placed before us should be extended to almost all the places of the State. No doubt the landlord's powers over the ownership and control of the house has to be very much limited and the facilities given to the tenant would have to be improved to a large extent and the amendments brought forward to-day seek to do so. For example, one of the amendments provides that even if the tenant fails to pay or deposit the rent within the prescribed period, the Court shall have been given the power to give reasonable time to the tenant. I will read the relevant provision with the permission of the Chair. It is on page 16—amendment to Section 8:

> "Provided that in any case falling under clause (i), if the tenant satisfies the court that he had sufficient cause for the default to tender, pay or deposit the rent within the prescribed period, the court shall give the tenant a reasonable time, not exceeding one month, to pay the rent due by him to the landlord up to the date of such payment, with a sum not exceeding ten percentum thereon, as may be fixed by the court, and on such payment being made, the court shall make an order rejecting the application."

So, several amendments that have been adumbrated in this particular amendment Bill go a long way to help the tenants. At the same time, the amendment Bill is not without or beyond errors. One is, as pointed out by my friend Sri K. Pattabhi Raman, under Section 3. This Section is going to alter the fundamentals of Hindu law.. It determines, in a way, the order of succession. Even from other aspects, all amendments have to be carefully gone into. The amendment Bill is, of course, to be welcomed, but it should not be passed with all its errors. From this point of view, I once again—I wholeheartedly agree with my friend Sri K. Pattabhi Raman—submit that the Bill be referred to a Select Committee to make the necessary amendments, so that, in this House, we may easily pass this Bill and get through this measure.

ಶ್ರೀ ಕೆ. ಪುಟ್ಟಸ್ವಾಮಿ (ಶ್ರೀರಂಗಪಟ್ಟಣ).— ಸ್ವಾಮಿ, ಈ ಮಸೂದೆಯನ್ನು ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಗೆ ಕಳುಹಿಸುವುದೇ ಒಳ್ಳೆಯದೆಂದು ನನ್ನ ಅಭಿಪ್ರಾಯ. ಏಕೆಂದರೆ, ಇದರಲ್ಲಿರುವ ಒಂದೆರಡು ಕ್ಲಾಜುಗಳನ್ನು ನೋಡಿದರೆ ಬಹಳ ಆಶ್ಚರ್ಯವಾಗುತ್ತದೆ. ಉದಾಹರಣೆಗೆ ಒಬ್ಬ ಬಾಡಿಗೆದಾರನು ಮನೆಯ ಮಾಲೀಕನಿಗೆ ತಕ್ಕವನಾಗುತ್ತಾನೆಯೇ ಇಲ್ಲವೆ, ತಕ್ಕವನಾಗಿರಬೇಕಾದರೆ ಏನು ಕಾರಣವಿರಬೇಕೆಂಬುದನ್ನು ಇಲ್ಲಿ

ವಿವರಿಸಿದ್ದಾರೆ. Suitability ಏನೆಂಬುದನ್ನು ಹೀಗೆ ಹೇಳಿದ್ದಾರೆ.

"Where the house to be allotted is a part of a building in the occupation of the landlord...."

ಇದನ್ನಾದರೂ ಸ್ವಲ್ಪ ಅರ್ಥ ಮಾಡಿಕೊಳ್ಳಬಹುದು. ಮುಂದೆ,

"is an outhouse of a building in such occupation or is otherwise closely connected with a building in such occupation....."

ಎಂದರೆ ಪಕ್ಕದಲ್ಲಿರುವ ಒಂದು ಮನೆಯಾದರೂ ಒಂದು ವಿಕೆಟ್‌ಗೇಟ್ ಇದ್ದರೆ ಆಯಿತು, ಅದೂ ಸೇರುತ್ತದೆ.

"and the landlord, being a vegetarian desires to have only a vegetarian tenant a non-vegetarian person shall be deemed to be an unsuitable tenant."

ಎಂದಿದೆ. ಇದು ಎಲ್ಲಿಯವರೆಗೆ ಹೋಗುತ್ತದೆಯೋ ಎಂಬುದನ್ನು ಯೋಚಿಸಿದರೆ ಆಶ್ಚರ್ಯವಾಗುತ್ತದೆ. ಉದಾಹರಣೆಗೆ, ನಾನ್‌ವೆಜಿಟೇರಿಯ್ಸ ಒಬ್ಬನು ಕೋರ್ಟಿಗೆ ಹೋಗಿ ನಾಕ್‌ವೆಜಿಟೇರಿಯ್ಸ ಅಲ್ಲ, ವೆಜಿಟೇರಿಯ್ಸ ಎಂದು ಹೇಳಿದರೆ ಇದನ್ನು ಅಲ್ಲವೆಂದು ರುಜುವಾತು ಕೊಡುವುದು ಹೇಗೆ? ಸ್ವಲ್ಪ ದಿನ ನಾಕ್‌ವೆಜಿಟೇರಿಯ್ಸ ಆಗಿದ್ದು ಅಲ್ಲಿಂದೀಚೆಗೆ ನಾನು ಅದನ್ನು ಬಿಟ್ಟುಬಿಟ್ಟೆ, ಎಂದು ಹೇಳಬಹುದು. ಹೀಗೆ ತೊಂದರೆಗೊಳಗಾಗಬಹುದು. ಈ ಮಸೂದೆ ತರುವಾಗ ಎಲ್ಲವನ್ನೂ ಕೂಲಂಕಷವಾಗಿ ಪರಿಶೀಲನೆ ಮಾಡಿಲ್ಲ. ಶಿಫಾರಸು ಹೇಗೆ ಬಂತೋ ಹಾಗೆ ಅದರ ಮೇಲೆ ಈ ಮಸೂದೆಯನ್ನು ತಂದಿದ್ದಾರೆಂದು ಕಾಣುತ್ತದೆ. ಹೀಗೆ ಅನೇಕ ದೋಷಪದೋಷಗಳಿವೆ. ಆದ ಕಾರಣ ಇದು ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಗೆ ಹೋದರೆ ಅಲ್ಲಿ ಎಚ್ಚರಿಕೆಯಿಂದ ಪರಿಶೀಲನೆ ಮಾಡಿ, ಏನು ತಿದ್ದುಪಡಿ ಆವಶ್ಯಕ ಎಂಬುದನ್ನು ಆಲೋಚನೆ ಮಾಡಿ ತರುತ್ತಾರೆ. ಹೋದ ಅಧಿವೇಶನದಲ್ಲಿ ಒಬ್ಬ ಸದಸ್ಯರು ಇದನ್ನು ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಗೆ ಹಾಕಬೇಕೆಂಬ ಅಭಿಪ್ರಾಯವನ್ನು ವ್ಯಕ್ತಪಡಿಸಿದ್ದರು. ಆದರೂ ಹಾಗೆ ಮಾಡಲಿಲ್ಲ. ಈಗಲೂ ಮುಂದಿನ ಅಧಿವೇಶನಕ್ಕೆ ಕಾಯಬೇಕಾಗಿಲ್ಲ. ಇನ್ನೂ ಹತ್ತು ದಿನಗಳು ಈ ಅಧಿವೇಶನ ನಡೆಯುತ್ತದೆ. ಹೀಗೆ ನಡೆಯುವಾಗಲೇ ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯ ವರದಿಯನ್ನು ತರಿಸಿಕೊಂಡು ಪರಿಶೀಲನೆ ಮಾಡಬಹುದು. ಆದುದರಿಂದ ಮಾನ್ಯ ಸಚಿವರು ಈ ಸೂಚನೆಯನ್ನು ಒಪ್ಪುತ್ತಾರೆಂದು ನಂಬಿದ್ದೇನೆ. ಇದು ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಗೆ ಹೋದರೆ ಉತ್ತಮವಾದ ಕಾನೂನನ್ನು ಮಾಡಲು ಸಾಧ್ಯವಾಗುತ್ತದೆಂದು ನನಗೆ ತೋರುತ್ತದೆ.

Mr. SPEAKER.—The House will now rise for lunch and meet again at 3-30 of the Clock.

The House rose for Lunch at Forty-five Minutes past Two of the Clock and met again at Thirty Minutes past Three of the Clock.

[Mr. SPEAKER in the Chair.]

CONDOLENCE REFERENCES.

DEMISE OF DR. SYAMA PRASAD MOOKERJEE.

ಶ್ರೀ ಕೆ. ಹನುಮಂತಯ್ಯ (ಸಭಾನಾಯಕರು).—ಸ್ಯಾಮಿ, ತಮಗೆಲ್ಲರಿಗೂ ಗೊತ್ತಿರುವಂತೆ ಇಂಡಿಯಾ ದೇಶದ ಸುಪ್ರಸಿದ್ಧ ದೇಶಭಕ್ತರಾದ ಶ್ರೀ ಶ್ಯಾಮ್ ಪ್ರಸಾದ್ ಮುಖರ್ಜಿಯವರು ನಿಧನರಾಗಿರತಕ್ಕದ್ದು ನಮ್ಮೆಲ್ಲರಿಗೂ ಅತ್ಯಂತ ದಾರುಣವಾದ ಶೋಕವನ್ನುಂಟುಮಾಡಿದೆ. ಡಾ॥ ಶ್ಯಾಮ್ ಪ್ರಸಾದ್ ಮುಖರ್ಜಿಯವರು ಭಾರತ ಭೂಮಿಗೆ ಅನೇಕ ಕ್ಷೇತ್ರಗಳಲ್ಲಿ ಅಪೂರ್ವವಾದ ಸೇವೆಯನ್ನು ಸಲ್ಲಿಸಿದ್ದಾರೆ. ಅವರು ಮೊದಲು ಬಂಗಾಳಾ ಪ್ರಾಂತ್ಯದ ರಾಜಕೀಯದಲ್ಲಿ ಪ್ರಾಮುಖ್ಯತೆಯನ್ನು ಪಡೆದು ಅಲ್ಲಿ ಮಂತ್ರಿಗಳಾಗಿದ್ದರು; ಬಹಳ ಪ್ರಖ್ಯಾತಿಯನ್ನು ಪಡೆದಿರತಕ್ಕಂಥ ಕಲ್ಕತ್ತಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ವೈಸ್‌ಛಾನ್ಸಲರ್ ಆಗಿದ್ದರು; ಹೀಗೆಯೇ ಬಂಗಾಳಾದಲ್ಲಿ ನಾನಾ ಕ್ಷೇತ್ರಗಳಲ್ಲಿ ಮತ್ತು ನಾನಾ ಸಂಸ್ಥೆಗಳಲ್ಲಿದ್ದು ಅಪಾರವಾದ ಸೇವೆಯನ್ನು ಸಲ್ಲಿಸಿ ಬಂಗಾಳಾದ ಪ್ರಮುಖರಲ್ಲಿ ಅತ್ಯಂತ ಶ್ರೇಷ್ಠರಾದವರೆಂಬ ಕೀರ್ತಿಯನ್ನು ಪಡೆದರು. ಅನಂತರ, ಅಖಿಲ ಭಾರತ ಕ್ಷೇತ್ರಕ್ಕೂ ಅವರು ಬಂದು, ಇಂಡಿಯಾ ದೇಶದ ಪ್ರಮುಖ ವ್ಯಕ್ತಿಗಳಲ್ಲೊಬ್ಬರಾದರು. ರಾಜ್ಯಾಂಗ ರಚನಾ ಸಭೆಯಲ್ಲೂ (Constituent Assembly) ಕೂಡ ಅವರು ಸದಸ್ಯರಾಗಿದ್ದರು. ಆದಾಗಿ, ಇಂಡಿಯಾ ಸರ್ಕಾರದ ಮಂತ್ರಿಗಳಲ್ಲೂ ಒಬ್ಬರಾಗಿ ಅವರು ಕೆಲಸ ಮಾಡಿದರು. ಅಲ್ಲಿ ಅವರು ರಾಜೀನಾಮೆಯನ್ನು ಕಾರಣಾಂತರದಿಂದ ಕೊಡಬೇಕಾಗಿ ಬಂದ ಮೇಲೆ, ಪಾರ್ಲಿಮೆಂಟಿನ ವಿರೋಧಪಕ್ಷದ ಪ್ರಮುಖ ವ್ಯಕ್ತಿಗಳಾಗಿ ಕೆಲಸ ಮಾಡಿದರು. ನನಗೆ ಅವರು ವೈಯಕ್ತಿಕವಾಗಿ ಗುರುತಿದ್ದುದಲ್ಲದೆ, ನಾನು ಅವರ ಸ್ನೇಹವನ್ನು ಸಂಪಾದಿಸತಕ್ಕಂಥ ಸದವಕಾಶವೂ ನನಗೆ ದೊರಕಿತು. ಪಾರ್ಲಿಮೆಂಟಿನಲ್ಲಿ ನಾನಿದ್ದಾಗ ಕಾಂಗ್ರೆಸ್ ಪಾರ್ಟಿಯ ಸದಸ್ಯನಾಗಿ ಅವರ ಕೆಲಸಕಾರ್ಯಗಳನ್ನು ನೋಡತಕ್ಕಂಥ ಸದವಕಾಶ ನನಗೆ ದೊರಕಿತ್ತು. ಪಾರ್ಲಿಮೆಂಟಿನಲ್ಲಿ—ಹಿಂದಿದ್ದ ಪಾರ್ಲಿಮೆಂಟಿನಲ್ಲೂ ಅಷ್ಟೆ, ಈಗಿರತಕ್ಕ ಪಾರ್ಲಿಮೆಂಟಿನಲ್ಲಿಯೂ ಅಷ್ಟೆ—ಅವರಿಗಿಂತಲೂ ಪ್ರತಿಭಾವಂತರಾದ ಪಾರ್ಲಿಮೆಂಟೇರಿಯ್ಸ ಇಲ್ಲವೆಂದು ಹೇಳಿದರೂ ಕೂಡ ಅತಿಶಯೋಕ್ತಿಯಾಗಲಾರದು. ಅವರು ಭಾಷಣ ಮಾಡುವುದಕ್ಕೆ ಎದ್ದು ನಿಂತುಕೊಂಡರೆಂದರೆ—ಅವರು ಕಾಂಗ್ರೆಸ್ ಪಾರ್ಟಿಯವರೊಡನೆ ಸಹಕರಿಸುತ್ತಿದ್ದಾಗಲೂ ಅಷ್ಟೆ, ವಿರೋಧಪಕ್ಷದಲ್ಲಿದ್ದಾಗಲೂ ಅಷ್ಟೆ—ಅವರು ಮಾತನಾಡುವುದನ್ನು ಪಾರ್ಲಿಮೆಂಟಿನ ಪ್ರತಿಯೊಬ್ಬ ಸದಸ್ಯರೂ ಬಂದು ಕೇಳಬೇಕೆಂದಿರುತ್ತಿದ್ದರು. ಅವರ ಭಾಷಣ, ಅದರ ಪಾಂಡಿತ್ಯ, ಈಗಲೂ ಕೂಡ ಅವರ ಭಾಷಣವನ್ನು ಕೇಳಿದವರಿಗೆ ಚಿರಸ್ಮರಣೀಯವಾಗಿದೆ. ಎರಡು-ಮೂರು ತಿಂಗಳ ಹಿಂದೆ, ಅವರು ಬೆಂಗಳೂರಿಗೆ ಬಂದಿದ್ದಾಗ—ಹಿಂದಿನ ಸ್ನೇಹವನ್ನು ಸ್ಮರಿಸಿಕೊಂಡೋ ಏನೋ, (ಅಷ್ಟು ದೊಡ್ಡ ಮನಸ್ಸು ಅವರದು)—ಅವರು ನನ್ನನ್ನು ಬಂದು ನೋಡಿದರು; ಅನೇಕ ವಿಷಯಗಳನ್ನು ಪ್ರಸ್ತಾಪ ಮಾಡಿದರು. ಬಹಳ ಸ್ನೇಹದಿಂದ ಮಾತನಾಡಿ, ಜೊತೆಗೆ ಹೃತ್ಪೂರ್ವಕವಾಗಿ ಆಶೀರ್ವಾದ ಮಾಡಿ ಹೋದರು. ಆ ದಿವಸ, ಇಷ್ಟು ಜಾಗ್ರತೆ ಅವರು ದೈವಾಧೀನರಾಗುತ್ತಾರೆಂಬುದು ಯಾರ ಊಹೆಗೂ ಕೂಡ ನಿಲುಕದ ವಿಷಯವಾಗಿತ್ತೆಂದರೆ ಆಶ್ಚರ್ಯವಿಲ್ಲ.